

SLR:LDM/ABK

**M 12- 246**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TO BE FILED UNDER SEAL

IN RE THE SEIZURE OF:

ALL FUNDS ON DEPOSIT IN JPMORGAN CHASE  
BANK ACCOUNT NO. 0994352359, HELD IN THE  
NAME OF PETRU SERA, UP TO AND INCLUDING  
THE SUM OF \$35,000.00,

AFFIDAVIT IN SUPPORT  
OF APPLICATION FOR  
SEIZURE WARRANT

AND ALL PROCEEDS TRACEABLE THERETO.

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EASTERN DISTRICT OF NEW YORK, ss:

RASHAD D. SPRIGGS, being duly sworn, deposes and  
states as follows:

INTRODUCTION

1. I am a Special Agent with the United States  
Secret Service ("USSS") and am currently assigned to the USSS's  
Financial Institution Fraud Squad. I have been a USSS Special  
Agent for over five years. During this time, I have been  
assigned to the New York Field Office in Brooklyn, New York.

2. In my capacity as a USSS Special Agent, I have  
investigated crimes involving financial institution fraud, wire  
and mail fraud, identity theft, access device fraud, advance fee  
fraud, and counterfeit currency and money laundering as it  
relates to the USSS's core violations. As a USSS Special  
Agent, I have, among other things, interviewed witnesses and

reviewed bank records, business records, and other financial documents.

3. This Affidavit is respectfully submitted for the limited purpose of obtaining a warrant authorizing the government to seize any and all funds on deposit in JPMorgan Chase Bank Account No. 0994352359, held in the name of Petru Sera, up to and including the sum of \$35,000.00, and all proceeds traceable thereto (hereinafter, the "Subject Account").<sup>1</sup>

4. As discussed herein, there is probable cause to believe that the funds on deposit in the Subject Account constitute, are derived from, or are traceable to violations of 18 U.S.C. § 1343 (wire fraud), and are therefore subject to seizure and forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

5. Title 18 U.S.C. § 1343 prohibits anyone from devising, or intending to devise, a scheme or artifice to defraud, and obtaining money and property by means of false or fraudulent pretenses, representations, or promises, by causing to be transmitted through means of wire communication in interstate or foreign commerce, any writings, signs, signals,

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<sup>1</sup> Because this Affidavit is being submitted for the limited purpose of obtaining a seizure warrant, I have not included each and every fact known to me concerning this investigation. In addition, to the extent that I rely on statements made by others, such statements are set forth in substance and in part, unless otherwise indicated.

pictures, or sounds for the purpose of executing such scheme or artifice. In turn, 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) provide for the forfeiture of all property constituting, derived from, or traceable to a violation of 18 U.S.C. § 1343.

#### THE INVESTIGATION

6. I, along with other members of the USSS, am currently investigating the unlawful activities of Petru Sera ("Sera"). Sera is believed to have fraudulently obtained in excess of \$35,000.00 by placing false advertisements on www.Craigslist.com, the internet classified advertising website. Based upon the investigation, there is probable cause to believe that Sera has committed, among other offenses, the offense of wire fraud, in violation of 18 U.S.C. § 1343.

7. On March 2, 2012, I spoke with one of Sera's victims ("Victim 1"), who operates a recreational vehicle ("RV") dealership in Alamogordo, New Mexico.

8. Victim 1 reported that on February 12, 2012, s/he viewed an RV for sale on www.Craigslist.com under the title "United Specialties Tsg 36 '07 - \$50000 (Houston)" and was interested in purchasing the same. Victim 1 emailed the purported seller at "f9vrv-2846434730@sale.craigslist.org" to ask if s/he could inspect the RV.

9. On February 13, 2012, the purported seller, who provided the name "Elder Stewart," replied to Victim 1 from

email address "elder.5stewart88@gmail.com." The purported seller stated that the RV was for sale, and if Victim 1 wanted to purchase it, Victim 1 would have to transfer funds to the purported seller through an entity called "Auctioning4u," with an internet address of www.Auctioning4you.com.

10. Victim 1 registered with "Auctioning4u." Thereafter, on February 16, 2012, Victim 1 received an email from "payment@auctioning4you.com." Victim 1 was told to wire \$10,000.00 as a down payment and that "Auctioning4u" would send the RV to Victim 1 for inspection. Victim 1 agreed and wired \$10,000.00 to the Subject Account on February 17, 2012. On February 18, 2012, Victim 1 received an email from payment@auctioning4you.com stating that the \$10,000.00 down payment had been received and the RV was being prepared for shipment to Victim 1.

11. On February 18, 2012, Victim 1 received another email from payment@auctioning4you.com stating that another down payment of \$10,000.00 would be required to secure the delivery of the advertised RV.

12. On or about February 22, 2012, Victim 1 wired another \$10,000.00 to the Subject Account and received an email from payment@auctioning4you.com stating that the payment had been received. An email from payment@auctioning4you.com stated

that the vehicle would be delivered to Victim 1 on February 23, 2012.

13. When the RV did not arrive as promised, Victim 1 emailed both payment@auctioning4you.com and elder.5stewart88@gmail.com but never received a response. Victim 1 never received the RV, nor did s/he receive a refund or return of any portion of his/her deposits or payments, which totaled \$20,000.00.

14. A review of records from the Subject Account confirms that the two \$10,000.00 payments made by Victim 1 were transferred from Victim 1's bank account to the Subject Account. A review of the records from the Subject Account also confirms that two \$10,000.00 payments made by Victim 1 were wired into the Subject Account on or about the dates on which Victim 1 had indicated that such wire transfers were made. A fraud investigator at Victim 1's bank confirmed that Victim 1 wired two \$10,000.00 payments from Victim 1's bank account to the Subject Account.

15. On March 5, 2012, I spoke with another victim of the same scheme ("Victim 2"), who resides in California.

16. Victim 2 reported that during the second week of February 2012, Victim 2 viewed an RV for sale on the website www.Craigslist.com.

17. Victim 2 emailed the purported seller and stated that s/he was interested in purchasing the RV that was for sale.

18. The purported seller responded to Victim 2 by email and directed Victim 2 to deposit \$15,000.00 into the Subject Account, through the company "Auctioning4u," with an internet address of [www.auctioning4you.com](http://www.auctioning4you.com).

19. On February 16, 2012 – the day before Victim 1 wired the first of two \$10,000.00 deposits into the Subject Account – Victim 2 transferred by wire \$15,000.00 into the Subject Account.

20. A review of records from the Subject Account confirms that the \$15,000.00 payment made by Victim 2 was transferred from Victim 2's bank account to the Subject Account. A review of the records from the Subject Account also confirms that a \$15,000.00 payment made by Victim 2 was wired into the Subject Account on or about the date on which Victim 2 had indicated that such wire transfer was made. A fraud investigator at Victim 2's bank confirmed that Victim 2 wired a \$15,000.00 payment from Victim 2's bank account to the Subject Account.

21. Thereafter, Victim 2 emailed the purported seller to advise that the \$15,000.00 wire deposit had been completed.

22. Victim 2 has not heard from "Auctioning4u" or the purported seller after completing the \$15,000.00 wire transfer into the Subject Account on February 16, 2012.

23. Victim 2 has not received the RV or a refund or return of any portion of his/her \$15,000.00 wire transfer.

24. Other victims have been identified and the investigation is ongoing.

#### THE SUBJECT ACCOUNT

25. In the course of the investigation, I reviewed bank records associated with the Subject Account. The bank records revealed that the Subject Account was opened on February 8, 2012, by presenting a New York State driver's license, number 150169843, at the JPMorgan Chase Bank branch located at 60-67 Myrtle Avenue in Ridgewood, New York, which is in Queens County and within the Eastern District of New York. The Subject Account is in the name of Petru Sera.

26. On February 11, 2012, over-the-counter withdrawals totaling \$8,000.00 were made at a JPMorgan Chase Bank branch located at 66-94 Fresh Pond Road, Ridgewood, New York.

27. Bank surveillance photos revealed that the physical appearance of the person making the withdrawals on February 11, 2012, matched that of the New York State driver's license photograph of the account holder, Petru Sera.

28. The current balance in the Subject Account is \$17,912.04.


CONCLUSION

29. Based upon the foregoing, there is probable cause to believe that all funds, up to and including the sum of \$35,000.00, currently on deposit in the Subject Account are proceeds obtained directly or indirectly as the result of violations of 18 U.S.C. § 1343, and that the funds are therefore subject seizure and forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

30. Because this Affidavit is submitted in connection with an ongoing criminal investigation that would be jeopardized by premature disclosure of information, I respectfully request that this Affidavit and all related documents be filed under seal until further order of the Court, except that copies of the seizure warrant may be served at the time it is executed, and that the government may produce copies of the warrant and this Affidavit, as required by its discovery obligations, including Rule 16 of the Federal Rules of Criminal Procedure.



WHEREFORE, your deponent respectfully requests,  
pursuant to 18 U.S.C. § 981(b) and 21 U.S.C. § 853(f), that a  
warrant be issued authorizing the seizure of all funds up to and  
including the sum of \$35,000.00, on deposit in JPMorgan Chase  
Bank Account No. 0994352359, held in the name of Petru Sera.

  
RASHAD D. SPRIGGS  
Special Agent  
United States Secret Service

Sworn to before me this  
16<sup>th</sup> day of March, 2012

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UDGE  
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